

**SUPREME COURT MINUTES
WEDNESDAY, APRIL 12, 2000
SAN FRANCISCO, CALIFORNIA**

S078564 People, Respondent
2nd Dist. v.
B119774 Darien Andre Valentine, Appellant
Div. 4 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Epps*, S082110 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S085942 People, Appellant
3rd Dist. v.
C030038 Philip R. King, Respondent
Appellant's petition for review GRANTED.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S086060 People, Appellant
4th Dist. v.
D032479 Mehrwan Jehangir Shroff et al., Respondents
D032495 Petitions for review GRANTED.
Div. 1 Further action in this matter is deferred pending consideration
and disposition of a related issue in *People v. Ansell*, S079744 (see
Cal. Rules of Court, rule 29.2(c)), or pending further order of the
court. Submission of additional briefing, pursuant to California
Rules of Court, rule 29.3, is deferred pending further order of the
court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S086128 People, Appellant
1st Dist. v.
A084466 Ronald Stacy Bunn, Respondent
Div. 3 Respondent's petition for review GRANTED.
The issues to be briefed and argued before this court shall be
limited to whether prosecution of the defendant would violate the
separation of powers doctrine when the charges were previously
dismissed by the trial court in a decision which was affirmed on
appeal and is now final.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S086385 Subramaniam Balasubramaniam, Appellant
2nd Dist. v.
B123069 County of Los Angeles et al., Respondents
Div. 2 Petitions for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Johnson v. City of Loma Linda*, S074261 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S086444 Guinness Peat Group et al., Appellants
4th Dist. v.
D031016 Robert N. Gould et al., Respondents
Div. 1 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *PLCM Group, Inc. v. Drexler*, S080201 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S082625 In re Terrance Lionel Robbins
 on
 Habeas Corpus

The Director of Corrections is ordered to show cause before the Los Angeles County Superior Court when the matter is ordered on calendar why petitioner's 1982 conviction for assault with a deadly weapon qualified as a prior serious felony conviction under Penal Code section 667, subd.(a). The return shall be filed on or before May 12, 2000.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

2nd Dist. In re Jose Casillas Camarena on Habeas Corpus
B121863 -----
B136468 People, Respondent
Div. 1 v.
S085741 Jose Casillas Camarena, Appellant

Petition for review GRANTED. The matter is transferred to the Court of Appeal, Second Appellate District, Division One, with directions to vacate its opinion in the matter (B121863/B136468) and reconsider the appeal in light of the admonition in *In re Carpenter* (1995) 9 Cal.4th 634, 646 that "[a]ppellate jurisdiction is limited to the four corners of the record on appeal." (See also *People v. Mendoza Tello* (1997) 15 Cal.4th 264, 266-267; *People v. Romero* (1994) 8 Cal.4th 740. With regard to B136468, the habeas corpus proceeding, the Court of Appeal, Second Appellate District, Division One, is directed to issue an order to show cause, returnable before the Los Angeles County Superior Court. The Director of

Corrections is to be ordered to show cause, when the matter is ordered on calendar, why the relief prayed for should not be granted. The return shall be filed on or before May 12, 2000.

George, C.J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

2nd Dist. Patricia D. Roberts, Petitioner
B137830 v.
Div. 2 Los Angeles County Superior Court, Respondent
S085674 Calfarm Insurance Company, Real Party in Interest
Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Two, with directions to vacate its order denying mandate and to issue an order directing respondent superior court to show cause why the relief sought in the petition should not be granted.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

5th Dist. Sonora Diamond Corporation, Petitioner
F034780 v.
S085904 Tuolumne County Superior Court, Respondent
Sonora Union High School District, Real Party in Interest
Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its order denying mandate and to issue an order directing respondent superior court to show cause why the relief sought in the petition should not be granted.

George, C.J.
Mosk, J.
Baxter, J.
Werdegar, J.
Chin, J.

S087082 Melanie Argo et al., Respondents
4th Dist. v.
D029235 General Dynamics Corporation et al., Appellants
Div. 1

In order to avoid even the appearance of impropriety, the appeal in the above entitled matter, now pending in the Court of Appeal, Fourth Appellate District, Division One, is hereby transferred to the Court of Appeal, Fifth Appellate District pursuant to rule 20(a) of the California Rules of Court.

The petition for review filed in this court on March 27, 2000, is denied as moot.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S006547 People, Respondent

v.

David Joseph Carpenter, Appellant

Appointed counsel for condemned prisoner David Joseph Carpenter represents that counsel will submit to the United States Supreme Court a timely petition for writ of certiorari seeking review of this court's decision affirming the judgment of death.

Accordingly, the application for stay of execution is granted and execution of the judgment of death entered against David Joseph Carpenter by the San Diego County Superior Court, and affirmed by this court on November 29, 1999 (21 Cal.4th 1016), is hereby stayed pending the final determination of any timely filed petition for writ of certiorari in the United States Supreme Court. If a petition for writ of certiorari is not submitted within the time prescribed, this stay will terminate when the time for submitting such petition has expired.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S071835 In re Larry H. Roberts

on

Habeas Corpus

By the Court:

In the matter of Larry H. Roberts on Habeas Corpus, S071835 (related to People v. Roberts (Solano County Super. Ct. case No. C-15253)), the Honorable Franklin R. Taft of the Solano County Superior Court is appointed to serve as referee.

The referee, after proper notice to the parties, is directed promptly to hold an evidentiary hearing and to make findings on the following questions:

1. What, if any, testimony did the prosecutor at petitioner's trial induce, or attempt to induce, from inmate witnesses? And if any, from which inmates? Did the inmate witnesses discuss their testimony among themselves before trial? Did the inmate witnesses'

trial testimony vary from what they actually saw or heard? And specifically in addition (but without necessarily limiting the findings of fact to answering the following questions):

a. Did Raybon Long hear petitioner discuss Gardner's stabbing before it occurred? Did Long see petitioner stab Gardner? Did Long see petitioner run to the third floor after stabbing Gardner?

b. Did Richard Yacotis hear petitioner discussing the stabbing afterward? What is the truth of the claims made in Yacotis's purported August 12, 1982, letter to defense counsel?

c. Did the trial testimony of Ryland T. Cade, Robert Hayes, or David Calvin, Jr., vary from what they actually saw or heard?

d. Did Leslie H. Rooks see petitioner carrying a knife just before the stabbing? After the stabbing, when and where did Rooks first see petitioner?

e. Were attempts made to persuade George Frederick Payne to testify falsely at the trial?

2. What evidence was available to defense counsel that the east grille gate on the third floor at the California Medical Facility, Vacaville, was locked or open at the time of the stabbing? What additional evidence, if any, would further investigation have produced on this point? What circumstances would have weighed against investigating the existence of or presenting any such evidence? What evidence rebutting any such evidence would have been available to the prosecution following its own investigation? Was the east grille gate open or locked at the time of the stabbing? If it was locked, could petitioner nonetheless have gone up the stairs and to his cell immediately after the stabbing?

It is further ordered that the referee prepare and submit to this court a report of the proceedings conducted pursuant to this appointment, of the evidence adduced, and of the findings of fact made.

S073196
1st Dist.
A076324
Div. 2

Robert Scheiding et al., Appellants

v.

General Motors Corporation, Respondent
And Companion Cases

Petition for rehearing DENIED.

Mosk, J., is of the opinion the petition should be granted.

- S077187 In re George R. Hester on Habeas Corpus
6th Dist. -----
H017911 People, Respondent
 v.
 George R. Hester, Appellant
 Petition for rehearing DENIED.
 Mosk, J., Kennard, J., AND Werdegarr, J., are of the opinion the
 petition should be granted.
- S024349 People, Respondent
 v.
 Peter Sakarias, Appellant
 The time for granting or denying a rehearing in the above cause
 is hereby extended to and including June 23, 2000, or the date upon
 which a rehearing is either granted or denied, whichever occurs first.
- S085781 Lon B. Isaacson, Petitioner
 v.
 Court of Appeal Second Aplt District – Div. Four, Respondent
 Jose C. Garrido, Real Party in Interest
 Petition for writ of mandate DENIED.
- S085841 John Scrofani, Petitioner
 v.
 Court of Appeal, Second Appellate District, Div. Three, Respondent
 People, Real Party in Interest
 Petition for writ of mandate DENIED.
- S086025 Parrish Bryant Garvin, Petitioner
 v.
 Fifth District Court of Appeal, Respondent
 People, Real Party in Interest
 Petition for writ of mandate DENIED.
- S086958 In re James Michael MacPhee
 on
 Habeas Corpus
 Application for stay and petition for writ of habeas corpus
 DENIED.

S068447 In re Randy Steven Kraft
 on
 Habeas Corpus

The petition for writ of habeas corpus, being in substance a motion to relieve counsel (*People v. Marsden* (1970) 2 Cal.3d 118), is denied.

S076615 In re Kevin Jamel Walker
 on
 Habeas Corpus

Petition for writ of habeas corpus DENIED.

Kennard, J., is of the opinion the matter should be transferred to the Court of Appeal with directions to deem the petition a motion to recall the remittitur.

1st Dist. In re Darris Young on Habeas Corpus
A081884 -----

A084607 People, Respondent
Div. 3 v.

S085518 Darris Young, Appellant
And Companion Case

Appellant's petitions for review DENIED.

The request for an order directing publication of the opinion is DENIED.

1st Dist. People, Respondent
A081987 v.

A087943 Patrick Henry Ghilotti, Appellant
Div. 4 Appellant's petition for review DENIED.

S085748

1st Dist. Ponoyota Walker et al., Appellants
A083865 v.

Div. 2 Allstate Indemnity Company et al., Respondents
S086291 Petition for review DENIED.

The request for an order directing depublication of the opinion is DENIED.

1st Dist. People, Respondent
A083918 v.
Div. 2 Frank S. Melonzi, Appellant
S085948 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A083935 v.
Div. 1 Albert Williams, Appellant
S086432 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A084126 v.
Div. 3 Donald Lee Schumaker, Appellant
S086413 Appellant's petition for review DENIED.

1st Dist. Brian Bjork, Appellant
A084831 v.
Div. 2 David M. Mason, Respondent
S086049 Respondent's petition for review DENIED.
Werdegar, J., is of the opinion the petition should be granted.
The requests for an order directing depublication of the opinion
are DENIED.

1st Dist. People, Respondent
A085660 v.
Div. 4 Carl Jones, Appellant
S086498 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A087149 v.
A080030 Michael Tony Gallardo, Appellant
A088200 And Companion Cases
Div. 4 Petitions for review DENIED.
S085723

1st Dist. California Casualty Insurance Company, Petitioner
A089614 v.
S085389 Alameda County Superior Court, Respondent
Jerome Wiggins et al., Real Parties in Interest
Petition for review DENIED.

1st Dist. Lucinda Hampton, Petitioner
A089859 v.
Div. 3 San Francisco County Superior Court, Respondent
S087035 John Schiappacasse et al., Real Parties in Interest
Application for stay and petition for review DENIED.

2nd Dist. In re Rodney Bruce Swanson on Habeas Corpus
B106687 -----
B131907 People, Respondent
Div. 3 V.
S064688 Rodney Bruce Swanson, Appellant
Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B113488 v.
Div. 3 Edward Phillip Contreras, Appellant
S085901 Appellant's petition for review DENIED.

2nd Dist. Estate of Morris I. Brenner, Deceased
B119255 -----
Div. 7 William James Osborne, Appellant
S085279 v.
Anita Susan Brenner, Respondent
Respondent's petition for review DENIED.

2nd Dist. People, Respondent
B119911 v.
Div. 4 Montrel Dennis Dorsey, Appellant
S086410 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B120780 v.
Div. 4 Jose Manuel Villalon, Appellant
S086332 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B122148 v.
Div. 2 Antonio Amaral et al., Appellants
S085933 Appellants' petitions for review DENIED.

2nd Dist. B122215 Div. 2 S086255	Joseph Tuksun Yip et al., Appellants v. Board of Police Commissioners City of Los Angeles, Respondent Appellants' petition for review DENIED.
2nd Dist. B122778 Div. 7 S085930	People, Respondent v. Joel Harvey Freeman, Appellant Appellants' petition for review DENIED.
2nd Dist. B123122 Div. 7 S085390	Remy Doega et al., Appellants v. Cartel Marketing Incorporated et al., Respondents Respondents' petition for review DENIED.
2nd Dist. B123407 Div. 6 S085965	Rebecca V. Franco et al., Appellants v. Farmers Insurance Group et al., Respondents Appellants' petition for review DENIED.
2nd Dist. B124602 Div. 3 S086243	People, Respondent v. Andrew Richard Molino et al., Appellants Appellants' petitions for review DENIED.
2nd Dist. B124838 Div. 3 S086421	People, Respondent v. Dwayne Harrison Cannon, Appellant Appellant's petition for review DENIED.
2nd Dist. B125155 B132157 Div. 7 S086134	People, Respondent v. Darryl B. Watts, Appellant In re Darryl B. Watts on Habeas Corpus Appellant's petition for review DENIED.
2nd Dist. B125164 Div. 3 S086517	People, Respondent v. Cleotis Soil, Appellant Appellant's petition for review DENIED.

2nd Dist. B125754 Div. 7 S086233	People, Respondent v. Rodriguez F. Blanco, Appellant Appellant's petition for review DENIED.
2nd Dist. B125783 Div. 2 S086085	Ruth Yedlin et al., Respondents v. Franchise Tax Board, Appellant Respondents' petition for review DENIED.
2nd Dist. B125910 Div. 1 S085914	People, Respondent v. Jorge Leonel Portillo, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B126157 Div. 5 S085784	People, Respondent v. Samuel Joseph Dominici, Appellant Appellant's petition for review DENIED.
2nd Dist. B126163 Div. 3 S086382	People, Respondent v. Robert C. Broglia, Appellant Appellant's petition for review DENIED.
2nd Dist. B126567 Div. 4 S086483	People, Respondent v. Anthony K. Fernandez, Appellant Appellant's petition for review DENIED.
2nd Dist. B126768 Div. 3 S085756	People, Respondent v. Henry Kincy, Appellant Appellant's petition for review DENIED.
2nd Dist. B126803 Div. 4 S086293	In re the Marriage of Jade Zhou and Ming Sung Chien ----- Jade Zhou, Respondent v. Ming Sung Chien, Appellant Petition for review DENIED.

2nd Dist. People, Respondent
B127192 v.
Div. 2 Mark Alan Barger, Appellant
S085912 Appellant's petition for review DENIED.

2nd Dist. Kenneth J. Schmier et al., Appellants
B127518 v.
Div. 5 David J. Jennings et al., Respondents
S086210 Petition for review DENIED.
The request for an order directing publication of the opinion is
DENIED.
The request for judicial notice is denied.

2nd Dist. People, Respondent
B127781 v.
Div. 1 Christopher Mack, Appellant
S085813 Appellant's petition for review DENIED.

2nd Dist. In re Ismar Alberto G., a Person
B127876 Coming Under the Juvenile Court Law
Div. 1 -----
S085777 People, Respondent
v.
Ismar Alberto G., Appellant
Petition for review DENIED.

2nd Dist. Hidden Creek Ranch, Appellant
B127901 v.
Div. 6 City of Moorpark, Respondent
S086171 Committee to Qualify Hidden Creek Referendum,
Real Party in Interest
Petition for review DENIED.
The request for an order directing publication of the opinion is
DENIED.

2nd Dist. People, Respondent
B127925 v.
Div. 1 Marnell Yohuan Jenkins, Appellant
S085553 Respondent's petition for review DENIED.
Mosk, J., Kennard, J., and Brown, J., are of the opinion the
petition should be granted.

2nd Dist. B129084 Div. 3 S086409	People, Respondent v. Edgar Estrada, Appellant Appellant's petition for review DENIED.
2nd Dist. B129146 Div. 5 S086251	People, Respondent v. Willie James Turner, Appellant Appellant's petition for review DENIED.
2nd Dist. B129585 Div. 6 S086391	People, Respondent v. Martin Corona Bernal, Appellant Appellant's petition for review DENIED.
2nd Dist. B130084 Div. 2 S086108	Victor James Hazard, Appellant v. Board of Accountancy, Respondent Appellant's petition for review DENIED.
2nd Dist. B130234 Div. 6 S086464	People, Respondent v. Alvaro Rodriguez, Appellant Appellant's petition for review DENIED.
2nd Dist. B130340 Div. 6 S086238	People, Respondent v. American Contractors Insurance Co., Appellant Appellant's petition for review DENIED.
2nd Dist. B130502 Div. 4 S086328	People, Respondent v. Jonathan Zaragoza, Appellant Appellant's petition for review DENIED.
2nd Dist. B130686 Div. 4 S085819	People, Respondent v. Augustine Colon, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B130695 v.
Div. 1 Jose Walter Claros, Appellant
S086326 Appellant's petition for review DENIED.

2nd Dist. Maria Isabel Sosa et al., Appellants
B131053 v.
Div. 2 Ralph's Grocery Company Incorporated, Respondent
S086287 Appellants' petition for review DENIED.

2nd Dist. People, Respondent
B131329 v.
Div. 2 Anthony Milton Longenbach, Appellant
S085856 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B131370 v.
Div. 6 Alejandro Alex Castro, Appellant
S086452 Appellant's petition for review DENIED.

2nd Dist. In re David M., a Person Coming Under the Juvenile Court Law
B131407 -----
Div. 5 People, Respondent
S086305 v.
David M., Appellant
Petition for review DENIED.

2nd Dist. People, Respondent
B131521 v.
Div. 5 Derek S. Gayles, Appellant
S086445 Appellant's petition for review DENIED.

2nd Dist. In re Juan M., a Person Coming Under the Juvenile Court Law
B131595 -----
Div. 4 People, Respondent
S086454 v.
Juan M., Appellant
Petition for review DENIED.

2nd Dist. B131702 Div. 4 S086589	People, Respondent v. Massimo Avidano, Appellant Appellant's petition for review DENIED.
2nd Dist. B131719 Div. 5 S086204	People, Respondent v. Gerald L. Johnson, Appellant Appellant's petition for review DENIED.
2nd Dist. B133045 Div. 4 S086335	People, Respondent v. Marcus Dewayne King, Appellant Appellant's petition for review DENIED.
2nd Dist. B133318 Div. 6 S086455	People, Respondent v. Tom Leo Santistevan, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B133999 Div. 6 S086486	People, Respondent v. Michael Harold Voter, Appellant Appellant's petition for review DENIED.
2nd Dist. B137052 Div. 2 S085973	In re Krist Joseph Medrano on Habeas Corpus Petition for review DENIED.
2nd Dist. B137702 Div. 5 S086414	Sherry Brooks, Petitioner v. Workers' Compensation Appeals Board, Respondent Southern California Gas Company, Respondent Petition for review DENIED.
2nd Dist. B138082 Div. 5 S086379	Maher Habashi, M.D., Petitioner v. Workers' Compensation Appeals Board, Respondent Tilford H. Turner et al., Respondents Petition for review DENIED.

- 2nd Dist. Fred Faith, Petitioner
B138332 v.
Div. 1 Los Angeles County Superior Court, Respondent
S086457 People, Real Party in Interest
Petition for review DENIED.
- 2nd Dist. James Gardner, Petitioner
B138455 v.
Div. 6 Workers' Compensation Appeals Board, Respondents
S086068 Petition for review DENIED.
- 2nd Dist. Blue Ridge Insurance Company et al., Petitioners
B138486 v.
Div. 2 Los Angeles County Superior Court, Respondent
S086930 John Elmassian et al., Real Parties in Interest
Application for stay and petition for review DENIED.
- 2nd Dist. United States Fire Insurance Company, Petitioner
B138648 v.
Div. 6 Santa Barbara County Superior Court, Respondent
S086041 Kenneth H. Hunter Jr., Real Party in Interest
Petition for review DENIED.
- 2nd Dist. Depart of Alcoholic Beverage Control Appeals Board, Petitioner
B138783 v.
Div. 7 Los Angeles County Superior Court, Respondent
S086170 Southland Corporation et al., Real Parties in Interest
Petition for review DENIED.
- 2nd Dist. Brian Mangan, Petitioner
B138838 v.
Div. 6 Santa Barbara County Superior Court, Respondent
S086247 People, Real Party in Interest
Petition for review DENIED.
- 2nd Dist. In re Earl O. Jones
B138979 on
Div. 1 Habeas Corpus
S086350 Petition for review DENIED. (*In re Clark* (1993) 5 Cal.4th 750;
In re Waltreus (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29
Cal.2d 709, 723; *In re Miller* (1941) 17 Cal.2d 734, 735.)

2nd Dist. Haji Mohammad Junaidi Abdul Rahman, Petitioner
B139011 v.
Div. 7 Los Angeles County Superior Court, Respondent
S086276 Bijan Fragrances Inc. et al., Real Parties in Interest
Petition for review DENIED.

2nd Dist. In re Jorge Alvaraldo
B139038 on
Div. 5 Habeas Corpus
S086300 Petition for review **DENIED** on the merits.

2nd Dist.	In re Willie McFee
B139505	on
Div. 3	Habeas Corpus
S086914	Petition for review DENIED. (<i>In re Lessard</i> (1965) 62 Cal.2d 497, 503; <i>In re Lindley</i> (1947) 29 Cal.2d 709, 723; <i>In re Dixon</i> (1953) 41 Cal.2d 756, 759.)

3rd Dist. Farmer's Rice Cooperative, Petitioner
C032667 v.
S086219 Workers' Compensation Appeals Board et al., Respondents
Petition for review DENIED.

3rd Dist. Monique Etcheverry et al., Appellants
C024045 v.
S072524 Tri-Ag Service Incorporated et al., Respondents

The requests for an order directing modification of the opinion are denied.

Werdegar, J., is of the opinion the request should be granted.

3rd Dist. People, Respondent
C028425 v.
S086367 Kelly Marie Flynn, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C028840 v.
S086509 Anthony Craig Huckabee, Appellant
Appellant's petition for review DENIED.

3rd Dist. C028945 S085950	People, Respondent v. George Edward Johnson, Sr., Appellant Appellant's petition for review DENIED.
3rd Dist. C029754 S085487	Bank of America National Trust and Savings Assoc., Respondent v. Rene Jennett, Appellant Appellant's petition for review DENIED. Baxter, J., and Chin, J., did not participate.
3rd Dist. C030337 S086277	People, Respondent v. Carl Cargile, Appellant Appellant's petition for review DENIED.
3rd Dist. C030475 S086111	Steven J. Dow, Respondent v. Albert Cromwell Dotson, Appellant Appellant's petition for review DENIED.
3rd Dist. C030635 S086551	People, Respondent v. Martha Ann Scott, Appellant Appellant's petition for review DENIED.
3rd Dist. C030677 S086374	People, Respondent v. Keith Nolan Huntsman, Appellant Appellant's petition for review DENIED.
3rd Dist. C030690 S086511	People, Respondent v. Fabian Vazquez, Appellant Appellant's petition for review DENIED.
3rd Dist. C030709 S086491	People, Respondent v. Terraine Darnell Hobbs, Appellant Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C031022 v.
S086310 Michael Jerome Thomas, Sr., Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C031081 v.
S086479 Troy Larmar Nevels, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C031431 v.
S086400 Robert Dale Horrell, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C031774 v.
S086446 Gregory Lynn Wilhoit, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C031797 v.
S086405 Israel Washington, Appellant
Appellant's petition for review DENIED.

3rd Dist. In re Torri L., a Person Coming Under the Juvenile Court Law
C031809 -----
S086420 Human Services Agency, Respondent
v.
Kim R., Appellant
Petition for review DENIED.

3rd Dist. In re Sara D., a Person Coming Under the Juvenile Court Law
C032841 -----
S086375 Butte County Children's Services Division, Respondent
v.
Machelle D. et al., Appellants
Petitions for review DENIED.

3rd Dist. In re Selinda V., a Person Coming Under the Juvenile Court Law
C033610 -----
S086299 Shasta County Department of Social Services, Respondent
v.
Andreas V., Appellant
Petition for review DENIED.

3rd Dist. In re Seth M., a Person Coming Under the Juvenile Court Law
C033876 -----
S086567 Katherine B., Respondent
v.
Kelly M., Appellant
Petition for review DENIED.

3rd Dist. Lawrence John Lease et al., Respondents
C034090 v.
S086156 City of Redding et al., Appellants
Respondents' petition for review DENIED.

3rd Dist. County of Calaveras, Petitioner
C034710 v.
S086334 Calaveras County Superior Court, Respondent
Irva Binda and Brett Binda et al., Real Parties in Interest
Petition for review DENIED.

3rd Dist. Randall V. Austin, Petitioner
C035135 v.
S087094 Sacramento County Superior Court, Respondent
Alvin Roberts et al., Real Parties in Interest
Application for stay and petition for review DENIED.

4th Dist. Arleen Freeman et al., Appellants
D030553 v.
Div. 1 San Diego Association of Realtors et al., Respondents
S085675 Appellants' petition for review DENIED.
Mosk, J., and Kennard, J., are of the opinion the petition should
be granted.

4th Dist. People, Respondent
D031467 v.
Div. 1 Isagani Pilotin Madriaga, Appellant
S085509 Appellant's petition for review DENIED.
The request for an order directing publication of the opinion is
DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. In re James Donald Higginbotham on Habeas Corpus
D031508 -----
D034106 People, Respondent
Div. 1 v.
S085971 James Donald Higginbotham, Appellant
Appellant's petition for review DENIED.

4th Dist. People, Respondent
D031514 v.
Div. 1 Sharon Ann Mohr, Appellant
S086282 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D031554 v.
Div. 1 Kurt Crusilla, Appellant
S085801 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D031626 v.
Div. 1 Robert Wenzel, Appellant
S086364 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D032206 v.
Div. 1 Willie Stewart, Jr., Appellant
S085609 Appellant's petition for review DENIED.
The request for an order directing partial publication of the
opinion is DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. In re Derrick B., a Person Coming Under the Juvenile Court Law
D032235 -----
Div. 1 People, Respondent
S086075 v.
Derrick B., Appellant
Petition for review DENIED.

4th Dist. People, Respondent
D032377 v.
Div. 1 Curtis Lee Faulkner, Appellant
S086329 Appellant's petition for review DENIED.

4th Dist. In re Juan Z., a Person Coming Under the Juvenile Court Law
D032623 -----
Div. 1 People, Respondent
S085714 v.
Juan Z., Appellant
Petition for review DENIED.

4th Dist. People, Respondent
D032721 v.
Div. 1 Eddie Earl Woodruff, Appellant
S086336 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D032804 v.
Div. 1 Theodore W. Robinson, Appellant
S086516 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D032852 v.
Div. 1 John Torres, Appellant
S086209 Appellant's petition for review DENIED.

4th Dist. In re Steven Gavette
D034542 on
Div. 1 Habeas Corpus
S086181 Petition for review DENIED.

4th Dist. Luisa Wildey, Petitioner
D034635 v.
Div. 1 Workers' Compensation Appeals Board et al., Respondents
S086396 Petition for review DENIED.

4th Dist. Jose Angel Camacho et al., Petitioners
D035320 v.
Div. 1 San Diego County Superior Court, Respondent
S087396 Julio Hernandez-Fujigaki, Real Party in Interest
Application for stay and petition for review DENIED.

4th Dist. People, Respondent
E022079 v.
Div. 2 Charles Anthony Frye, Appellant
S086217 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E022565 v.
Div. 2 William Reno Gerber, Appellant
S086033 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent
G022705 v.
Div. 3 Teresa Sanchez, Appellant
S085567 Respondent's petition for review DENIED.
Kennard, J., and Chin, J., are of the opinion the petition should be granted.

4th Dist. People, Respondent
E023325 v.
Div. 2 James Lee Crummel, Appellant
S086560 Appellant's petition for review DENIED.

4th Dist. Steven D. Haugland, Appellant
E023414 v.
Div. 2 Chase Mortgage Services Inc., Respondent
S086090 Respondent's petition for review DENIED.

4th Dist. People, Respondent
E023750 v.
Div. 2 Thomas John Carlson, Appellant
S085843 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E023891 v.
Div. 2 Frank D. Gadberry, Appellant
S086562 Appellant's petition for review DENIED.

4th Dist. Gray Family Corporation, Appellant
E024070 v.
Div. 2 Paisa Incorporated, Defendant
S085764 Bank of Yorba, Respondent
Respondent's petition for review DENIED.
The request for an order directing publication of the opinion is
DENIED.

4th Dist. People, Respondent
E024213 v.
Div. 2 Dondrew Lloyd Pearson, Appellant
S086548 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E024221 v.
Div. 2 Guy Byron Bookout, Appellant
S086424 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E024305 v.
Div. 2 Joe Clarence Logan, Appellant
S086207 Appellant's petition for review DENIED.

4th Dist. Bear Creek Master Association, as Trustee, etc., Respondent
E024349 v.
Div. 2 Parlan L. Edwards et al., Appellants
S086183 Petition for review DENIED.

4th Dist. People, Respondent
E024392 v.
Div. 2 Michael Max Darrow, Appellant
S086053 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E024863 v.
Div. 2 Guy E. Sann, Appellant
S086286 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E024881 v.
Div. 2 Calvin Wayne Smith, Appellant
S086285 Appellant's petition for review DENIED.

4th Dist. In re Natasha F., a Person Coming Under the Juvenile Court Law
E025137 -----
Div. 2 Riverside County Dept. of Public Social Services, Respondent
S086262 v.
Burnea F. et al., Appellants
Appellants' petition for review DENIED.

4th Dist. Rancho California Highlands, LLC, Petitioner
E026543 v.
Div. 2 Riverside County Superior Court, Respondent
S086376 Del Mar Heritage LLC, Real Party in Interest
Appellant's petition for review DENIED.

4th Dist. People, Respondent
G021627 v.
Div. 3 Jackie Lynn Anderson, Appellant
S085805 Respondents' petition for review DENIED.
Kennard, J., and Chin, J., are of the opinion the petition should be granted.
The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed December 30, 1999, which appears at 77 Cal.App.4th 368. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

4th Dist. G022380 Div. 3 S086227	People, Respondent v. Adrian Ben Cervera, Appellant Appellant's petition for review DENIED.
4th Dist. G022627 Div. 3 S086012	People, Respondent v. Robert Allen Harrington, Appellant Appellant's petition for review DENIED.
4th Dist. G023053 G023054 Div. 3 S085795	People, Respondent v. Fernando Ovalle, Appellant Appellant's petition for review DENIED. The request for an order directing publication of the opinion is DENIED.
4th Dist. G023622 Div. 3 S086575	People, Respondent v. Victor Manuel Cortez, Appellant Appellant's petition for review DENIED.
4th Dist. G024013 Div. 3 S073419	Dupont Merck Pharmaceutical Company, Petitioner v. Orange County Superior Court, Respondent Mark Newman et al., Real Parties in Interest Petition for review DENIED.
4th Dist. G024221 Div. 3 S085946	People, Respondent v. Yanet Herrera, Appellant Appellant's petition for review DENIED.
5th Dist. F027732 F033310 S086543	People, Respondent v. J. R. Rabago, Appellant ----- In re J. R. Rabago on Habeas Corpus Appellant's petition for review DENIED.

5th Dist. William and Mary Lou Mohlenhoff et al., Appellants
F028641 v.
S086440 Madeline Hackney Morrow et al., Respondents
Appellants' petition for review DENIED.

5th Dist. People, Respondent
F028779 v.
S086480 Fernando Cabada, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F029128 v.
F029308 Isaac Joel Flores et al., Appellants
S086048 Appellants' petitions for review DENIED.

5th Dist. People, Respondent
F029535 v.
S085879 Vernon Doyle Gibson, Appellant
Appellant's petition for review DENIED.

5th Dist. People et al., Respondents
F029664 v.
S086118 Sun Pacific Farming Company et al., Appellants
Appellants' petition for review DENIED.

5th Dist. People, Respondent
F030583 v.
S086561 Antonio J. Ambris, Appellant
Appellants' petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

5th Dist. People, Respondent
F030790 v.
S086279 Timothy Wayne Allen, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F030899 v.
S085944 Ronald Lee Johns, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F031127 v.
S086007 Francisco Guzman, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F031206 v.
S086356 Ulysses Washington, Jr., Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F031293 v.
S086381 Maurice Dion Sanders, Appellant
Appellant's petition for review DENIED.

5th Dist. Moustafa A. Mohamed et al., Appellants
F031318 v.
S086515 Pacific Gas and Electric Company, Respondent
Appellants' petition for review DENIED.
Chin, J., did not participate.

5th Dist. People, Respondent
F031568 v.
S085665 William Domingo Elizalde, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F031766 v.
S086403 Derrick Armstrong, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F031994 v.
S085993 Cesar Venegas Anguiano, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F032253 v.
S086274 Robert Lee Alvarez, Appellant
Appellant's petition for review DENIED.

5th Dist. F033713 S086443	In re Justin S. et al., Minors ----- Kings County Department of Human Services, Respondent v. Karen S., Appellant Petition for review DENIED.
5th Dist. F034872 S086083	United States Fidelity & Guaranty Company, Petitioner v. Workers' Compensation Appeals Board et al., Respondents Petition for review DENIED.
6th Dist. H017095 S086076	People, Respondent v. Jesse Joseph Jimenez, Appellant Appellant's petition for review DENIED.
6th Dist. H017593 S086073	People, Respondent v. Terence Demond Tyson, Appellant Appellant's petition for review DENIED.
6th Dist. H018304 S086140	Daniel C. White, Appellant v. Anne Marie Hunter et al., Respondents Appellant's petition for review DENIED.
6th Dist. H018598 S086557	People, Respondent v. Jorge Armando Mercado, Appellant Appellant's petition for review DENIED.
6th Dist. H018981 S085676	People, Respondent v. Yvonne Dolores Chardon, Appellant Appellant's petition for review DENIED.

6th Dist. People, Respondent
H019259 v.
S086365 Marc Bernard Rose, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H019827 v.
S086416 George L. Whaley, Appellant
Appellant's petition for review DENIED.

6th Dist. In re Daniel Joseph Dominguez
H021059 on
S086091 Habeas Corpus
Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

6th Dist. Xiao Han, Petitioner
H021244 v.
S087121 Santa Clara County Superior Court, Respondent
People, Real Party in Interest
Petition for review is DENIED as moot in light of the trial court's order, filed on April 4, 2000, vacating the order issued on March 13, 2000, denying bail on appeal and the district attorney's concession that the superior court erred by failing to state reasons under Penal Code section 1272.1, subd.(c). The order issued by this court staying execution of the county jail portion of the sentence is dissolved.

1st Dist. Industrial Indemnity Company et al., Appellants
A074119 v.
Div. 3 Apple Computer, Inc., Appellant
S079256 Insurance Company of the State of Pennsylvania, Appellant
The Reporter of Decisions is directed to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed April 16, 1999, which appears as modified at 71 Cal.App.4th 452. (See rules 976(d) and 978(c), Cal. Rules of Court.)

5th Dist. Rosario Alvarez, Appellant
F030478 v.
S085066 State of California, Respondent

On the recommendation of the Court of Appeal pursuant to rule 978 of the California Rules of Court, the Reporter of Decisions is directed to publish in its entirety the opinion in the above-entitled appeal in the Official Reports. See rule 978(c), California Rules of Court.

2nd Dist. Electro Optical Industries, Inc., Appellant
B133110 v.
Div. 6 Stephen White, Respondent

S085582 The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed November 30, 1999, which appears at 76 Cal.App.4th 653. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

L.A.S.C. People, Respondent
BR38487 v.
S085102 Ronald Oster, Appellant

The request for an order directing publication of the opinion in the above entitled cause is DENIED.

1st Dist. People, Respondent
A081295 v.
Div. 3 Donald Montross Gibson et al., Appellants

S085265 The request for an order directing publication of the opinion in the above entitled cause is DENIED.

1st Dist. Brickyard Development Partners, Respondent
A084277 v.
Div. 1 City of Pittsburg, Appellant

S086196 The request for an order directing publication of the opinion in the above entitled cause is DENIED.

1st Dist. People, Respondent
A086498 v.
Div. 1 Carrie D. Gillock, Appellant

S085855 The request for an order directing publication of the opinion in the above entitled cause is DENIED.

2nd Dist. Simon Wah-Hong Yau, Appellant
B122596 v.
Div. 1 Board of Chiropractic Examiners of California, Respondent
S084907 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. Bobby Joe Baker et al., Appellants
B123201 v.
Div. 6 Veco Drilling Inc., etc., Respondent
S085451 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. Spirit of the Sage Council et al., Appellants
B125271 v.
Div. 5 Community Redevelopment Agcy City of LA et al., Respondents
S085859 Roman Catholic Archbishop of Los Angeles et al.,
Real Parties in Interest
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. G. John Parker, Respondent
B126503 v.
Div. 3 Robert Baker et al., Appellants
S085394 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. People, Respondent
B128485 v.
Div. 4 Dante Bronzun R., Appellant
S084478 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

3rd Dist. Bernabe Rocha, Petitioner
C029933 v.
S085408 Workers' Compensation Appeals Board et al., Respondents
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

4th Dist. People, Respondent
D032573 v.
Div. 1 Shannon Gene Rogers, Appellant
S084489 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

4th Dist. Kelly Dodge, Petitioner
D033834 v.
Div. 1 San Diego County Superior Court, Respondent
S086563 Casper's Concrete Cutting Incorporated et al.,
Real Parties in Interest
The request for an order directing depublication of the opinion in
the above entitled cause is DENIED.

4th Dist. Steven Foster, Petitioner
D033940 v.
Div. 1 Imperial County Superior Court, Respondent
S085219 People, Real Party in Interest
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

4th Dist. City of Riverside, Respondent
E022351 v.
Div. 2 Outdoor Media Group Inc. et al., Appellants
S085611 Stephen Whyld et al., Respondents
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

4th Dist. People, Respondent
E023046 v.
Div. 2 James Guzman, Appellant
S082519 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

4th Dist. Etha Sabel, Appellant
E023640 v.
Div. 2 City Council of the City of Perris et al., Respondents
S085858 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

4th Dist. People, Respondent
E023747 v.
Div. 2 Guillermo Falconi, Appellant
S084328 The request for an order directing partial publication of the
opinion in the above entitled cause is DENIED.

4th Dist. People, Respondent
E024367 v.
Div. 2 Nakia Darrell Jones, Appellant
S084327 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

5th Dist. People, Respondent
F031435 v.
S084076 Kamsan Suon, Appellant
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

5th Dist. Woodward Park Homeowners Association, Respondent
F032200 v.
S085927 Garreks Incorporated et al., Appellants
The request for an order directing depublication of the opinion in
the above entitled cause is DENIED.

S084215 In re the Accusation of GENE MORAN
Against Certain Attorney(s)
Petition DENIED.

S084218 In re the Accusation of GENE MORAN
Against Certain Attorney(s)
Petition DENIED.

S084401 In re the Accusation of MARVIN J. BUDDERMAN
Against Certain Attorney(s)
Petition DENIED.

S084735 In re the Accusation of ERWIN GRUENBERG
Against Certain Attorney(s)
Petition DENIED.

- S085160 In re the Accusation of ILSE DATTINGER-ELISCU
 Against Certain Attorney(s)
 Petition DENIED.
- S085369 In re the Accusation of ESSIE ANDERSON
 Against Certain Attorney(s)
 Petition DENIED.
- S0854337 In re the Accusation of ERNEST F. HASSELBRINK
 Against Certain Attorney(s)
 Petition DENIED.
- S085439 In re the Accusation of PARVIZ ALAI
 Against Certain Attorney(s)
 Petition DENIED.
- S085475 In re the Accusation of MATILDA MABE
 Against Certain Attorney(s)
 Petition DENIED.
- S085478 In re the Accusation of DEBRA BENCI-WOODWARD
 Against Certain Attorney(s)
 Petition DENIED.
- S085544 In re the Accusation of DAVID BROOKS
 Against Certain Attorney(s)
 Petition DENIED.
- S085775 In re the Accusation of ERIC B. COLVIN
 Against Certain Attorney(s)
 Petition DENIED.
- S085868 In re the Accusation of RAYMOND EARLE GRICE
 Against Certain Attorney(s)
 Petition DENIED.
- S085975 In re the Accusation of DAVID BENEDETTI
 Against Certain Attorney(s)
 Petition DENIED.

- S086147 In re the Accusation of JOHN DAVY
Against Certain Attorney(s)
Petition DENIED.
- S086178 In re the Accusation of ORLANDO LARENAS
Against Certain Attorney(s)
Petition DENIED.
- S086193 In re the Accusation of MARION C. BURNETT
Against Certain Attorney(s)
Petition DENIED.
- S086342 In re the Accusation of ELMINA CALLENDER
Against Certain Attorney(s)
Petition DENIED.
- S086773 In re the Accusation of CHARLES EVANS
Against Certain Attorney(s)
Petition DENIED.
- S086788 In re the Accusation of ENOS HAMPTON
Against Certain Attorney(s)
Petition DENIED.
- S025122 People, Respondent
v.
Deondre Arthur Staten, Appellant
Appellant's reply brief shall be filed on or before May 8, 2000.
If the brief is not filed by that date, the court will consider issuance
of an order directing counsel Jonathan P. Milberg to show cause
before this court, when the matter is ordered on calendar, why
counsel should not be held in contempt of court and further
payments suspended or other sanction imposed for the delay in the
appellate process occasioned by the extensions of time to file the
brief thus far granted.

S083381 People, Respondent

v.

Billy Jack Belcher, Appellant

The order filed April 7, 2000, granting the appellant an extension of time to file the opening brief on the merits, is amended to read “April 10, 2000,” in place of “April 21, 2000.”

S004712 People, Respondent

Crim. V.

25432 Ronald Avery McPeters, Appellant

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for condemned prisoner Ronald Avery McPeters, filed March 24, 2000, is granted.

The order appointing the California Appellate Project as counsel of record for condemned prisoner Ronald Avery McPeters, filed August 26, 1986, is hereby vacated.

The Habeas Corpus Resource Center is hereby appointed as attorney of record for condemned prisoner Ronald Avery McPeters. Counsel is appointed for purposes of all post-conviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S082110 People, Respondent

v.

Dennis Lee Epps, Appellant

Respondent’s motion to expand issues on review, filed December 10, 1999, is granted.

The issues to be briefed and argued are hereby expanded to include the effect of the 1997 amendments to section 1025 on appellant’s right to a jury on prior conviction allegations.

Respondent’s Brief on the Merits is to be served and filed on or before May 12, 2000. Further briefing is to be served and filed in a timely fashion. (See rule 29.3(a), Cal. Rules of Court.)

S083256 People, Respondent

v.

Benny H. Williams, Appellant

Upon request of appellant for appointment of counsel, Cliff Gardner is hereby appointed to represent appellant on his appeal now pending in this court.

108264- THE HONORABLE J. GARY HASTINGS, Associate Justice of the Court of Appeal, Second Appellate District, Division Four, is hereby assigned to assist the Supreme Court of California as a justice thereof, on April 12, 2000, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

Dated: April 12, 2000

Ronald M. George
Chief Justice of California and
Chairperson of the Judicial Council

